

Chapter 10.60

CURFEW

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10.60.010 Definitions.

A. "Care and custody" means the legal authority of a parent or guardian to supervise or otherwise be responsible for a minor, or the express authority given from such parent or legal guardian of a minor to a responsible adult to supervise or otherwise be responsible for the activities and care of the minor.

B. "Emergency errand" means any errand or travel undertaken to directly and immediately seek to prevent or reduce the consequences of an illness or injury, criminal or potentially criminal activity, or fire or other accident and shall include the seeking of aid and assistance from medical or emergency response personnel or the purchase of medications.

C. "Minor" means any unmarried, emancipated person who is not a member of the armed forces of the United States and who is under the age of 16 years for the purposes of section 10.60.020 of this chapter or who is under the age of 18 years for the purposes of section 10.60.030 of this chapter.

D. "Public places" means any place open to the public, whether publicly or privately owned, including but not limited to, parking lots and the interiors and exteriors of commercial establishments such as restaurants, stores or places of entertainment.

10.60.020 16-year-old curfew.

It is unlawful for any minor under the age

of 16 years to remain or loiter upon any of the sidewalks, streets, alleys or public places in the city, between the hours of 11:00 p.m. and 5:00 a.m. the following morning.

10.60.030 18-year-old curfew.

It is unlawful for any minor under the age of 18 years to remain or loiter upon any of the sidewalks, streets, alleys or public places in the city, between the hours of 1:00 a.m. and 5:00 a.m.

10.60.040 Parental liability.

It is unlawful for any parent, guardian or other person having care and custody of any minor to allow or permit the minor to violate the provisions of this chapter. Violation is a misdemeanor.

10.60.050 Business liability.

No person owning or operating a business as defined by this code of ordinances shall knowingly permit any minor to remain on the premises of such business in violation of the provisions of this section. Any such violation shall be a misdemeanor. This section, however, shall not apply to any minor who is lawfully employed on the premises.

10.60.060 Exceptions.

The provisions of this chapter shall not apply to any circumstances in which the minor is:

A. Accompanied by a parent, guardian or other responsible adult having care and custody of such minor;

B. Engaged in legitimate trade, employment or occupation which requires the minor's presence in or on the sidewalks, streets, alleys or public places while working at or traveling to or from such employment;

C. Engaged in an emergency errand directed by the minor's parent, guardian or other responsible person having care and custody;

D. In a motor vehicle engaged in a normal interstate travel beginning in, traveling

through, or ending in the city;

E. Attending or engaged in traveling between the minor's home or place of residence and a place where any religious, municipal, social, entertainment, sporting, political, library or school function is occurring; or

F. Within the immediate vicinity of the minor's place of residence.

10.60.070 Enforcement.

A. Any minor who is in violation of the provisions of this chapter is subject to arrest and citation.

B. Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor.

C. It is unlawful for any parent, guardian or other person charged with the care and custody of a minor who is in violation of this chapter to refuse to appear and take custody of the minor within a reasonable time after being ordered to do so by a peace officer.

D. Any violation of this chapter is a misdemeanor.